From:
To: kelvin@vanderlip.org
Cc: Zach.Rehm@coastal.ca.gov; Ara Mihranian; Doug Willmore; David Gakenheimer <dgakenheimer@gmail.com>; Charles Posner <chuck.posner@coastal.ca.gov>; CC; Charlotte Wiederholt <cwiederholt@tangramstudio.com>; Steve Stewart <srstew1@aol.com>; Robert Voll <ravvoll67@gmail.com>
Subject: RE: VTTM Tract 50666 Lot D: Support for our opposition to the Community Planning Department's plans for Lot D

Hi Kelvin,

Thank you for speaking and meeting with the Director and I regarding the landscape plan. My responses, which are the same that were relayed to you before, are provided in red text below.

Sincerely,

So Kim, AICP

Deputy Director/Planning Manager

Community Development Department

City of Rancho Palos Verdes

www.rpvca.gov

(310) 544-5222

From: Kelvin Vanderlip [mailto:kelvin@vanderlip.org]
Sent: Thursday, August 30, 2018 2:17 PM
To: So Kim <SoK@rpvca.gov>
Cc: Ara Mihranian <AraM@rpvca.gov>; Doug Willmore <DWillmore@rpvca.gov>; David Gakenheimer <dgakenheimer@gmail.com>; Charles Posner <chuck.posner@coastal.ca.gov>; Zach.Rehm@coastal.ca.gov; CC <CC@rpvca.gov>; Charlotte Wiederholt <cwiederholt@tangramstudio.com>; Steve Stewart <srstew1@aol.com>; Robert Voll <ravvoll67@gmail.com>
Subject: VTTM Tract 50666 Lot D: Support for our opposition to the Community Planning Department's plans for Lot D

from: Kelvin Vanderlip, Secretary, Tract 16540 HOA
to: So Kim, Deputy Director/Planing Manager, Community Development, Rancho Palos Verdes

cc: Ara Mihranian, Director of Community Development, Rancho Palos Verdes
cc: Doug Wilmore, City Manager, Rancho Palos Verdes
cc: Charles Posner, Planning Director, California Coastal Commission
cc: Zach Rehm, Transportation Analyst, California Coastal Commission
cc: Rancho Palos Verdes City Council
cc: Board of Tract 16540 HOA

Dear So,

Summary section (see longer discussion section below my signature)

I am truly sorry to be taking your time to sort through the issues regarding Lot D. You are probably under a great deal of pressure to get this done. We "interested parties", who live next to Lot D, have received misleading information from the Planing Department regarding the effect of various requirements and constraints governing the use of Lot D. It has taken us a great deal of time and

effort to untangle and understand the true, long-ago negotiated purpose of the lot which we discuss here: **Lot D is to remain a park, and remain a fire barrier Fuel Modification Zone.**

We were told that you have the right to take bare-dirt fire-break Lot D and suddenly landscape 100% of it in dry, low water, native planting, right up to our property lines. This is not true. **Lot D is a Fuel Modification Zone** and was cleared of planting years ago.

> *All of our attempts to convince you that increasing the fire load on Lot D was dangerous for our community were met with a bureaucratic stone wall. It took us days of research to find the true conditions set out by the original designers of the Tract, who were thinking of safety. We received 4 versions of the Landscape Plan from you. In each one you covered the all of the bare ground with new plants that turn brown for 9 months of the year. In each successive version the planting was moved closer and closer to our homes. It is a sad state of affairs when the citizens beg for "safe plans" and it falls on deaf ears.*

We were told you require NO Fire Department review of the new planting on Lot D so long as you choose plants from a certain palette. This is not true. **Your Landscape Plan breaks the condition that Lot D is Fuel Modification Zone.** You must abide by the Fire Department regulation in the HCP. You tell us no Fire Department review is called for. We strongly disagree. We ask you to get a Fire Department stamp on your Landscape Plan. The California Coastal Commission, as part of their Coastal Development Permit approval for the Golf Course, approved a plant palette which specifies the types of plants allowed on certain portions of the property. Lot D is considered the FIRE BUFFER ZONE, which has its own specific plant palette consisting mostly of fire resistant, native, and drought tolerant species. This lot was not intended to be left vacant of any foliage. At the time the Project was originally approved, all other agencies, including Coastal Commission, CA Dept of Fish and Wildlife, and the LA County Fire Dept, etc were involved. So unless the Developer wishes to plant species outside of what is on the approved plant palette, another review by the Fire Dept for the landscape plan is not required.

We were told that Lot D had to be protected from access because the Coastal Commission "forced" it to be a Native Habitat. This is not true. The Coastal Commission conditions specify that **Lot D is a park**, not Native Habitat. **A "Park" is for use by people**, while "Passive park/Habitat preserve" is for use by plants and animals.

We were told that walking on the path to our community gate has to be stopped because this path is not on the Public Amenities Plan. This is misleading. Your assertion rests on treating Lot D as protected Native Habitat. However, Lot D is an open access park, a Fuel Modification Zone, and a fire break, with plenty of room for everyone to walk over the open space, including even our residents. Not true. Lot D is approved with a public pedestrian trail, bicycle path, as well as landscape areas.

We were told that you can bar the path leading from our community's gate across Lot D, used for years by our residents, *because it is not on City plans*. This is misleading. It is on the Figure 6 map in the City's own decades-old Habitat Conservation Plan. Not true. Figure 6 is the Public Trails Plan which shows the official trail leading from PVDS, not from the community gate. The community has been accessing a portion of privately owned land in the past, without an official easement or an official trail dedication.

We were told that the Landscape Plan was subject only to the Director's review because you comply with all conditions voted by the City Council. City Council approved Resolution No. 2018-39, Condition L.3.a.(3) expressly allows the Director to review and approve the landscape plan.

This is not true - you do not comply with the HCP, which requires the Lot "be cleared of combustible vegetation that may represent a potential fire hazard to adjacent structures". Instead you plan to plant 100% of the lot with low-water native plants, right up to the houses! See my comment above regarding the approved plant palette.

We were told that no public input was required on the Landscape plan. This is not true. We found and pointed out the City development condition requiring the Director to take comment from a hearing of "interested parties". You have given us until August 31st to prepare for, arrange our schedules, and attend this meeting. Given what we have learned over the last week, this is now too short a period of time to work this out. **We request a 2 week extension for this meeting.** Not true. City Council approved Resolution No. 2018-39, Condition L.3.a.(3) requires that the Developer coordinate with the City and the Portuguese Bend Club communities to ensure that proposed landscape plans address concerns. On July 25, 2018, Jill Martin representing the Developer, emailed a copy of the Landscape Plan to David Gakenheimer (PBC representative), which you were subsequently cc'd on July 30th. Below is a copy of the correspondence as a reminder. You had more than 30-days to review the plans. With the most recent version of the landscape plan, you requested a 5-day review period. I provided you with 8. Please provide your comments by tomorrow as requested.

From: David Gakenheimer [mailto:dgakenheimer@gmail.com]
Sent: Monday, July 30, 2018 10:54 AM
To: So Kim <SoK@rpvca.gov>
Cc: Kelvin Vanderlip <kelvin@vanderlip.org>; Jill Martin <jmartin@trumpnational.com>
Subject: Re: Trump National - Landscape Plans for community review

Hi So Kim,

I expect to be able to respond with comments for the landscaping plans by Friday (August 3). Kelvin Vanderlip is helping me collect comments from the residents. We met with Jill Martin this morning to get clarification on several things in her plans.

If possible, Kelvin and I would like to meet with you to be sure we understand the City requirements and conditions correctly. Are you available tomorrow morning (Tuesday, July 31) anytime between 9:00 AM and 12 noon? I think we need about 1/2 hour of your time.

Please advise.

Thanks

David

We were told that the Board of our Tract 16540 HOA is not representative and must "submit proof that our community is in entire agreement with our request" for access. Attached is a petition of signed by 40 individual Tract 16540 homeowners requesting access to Lot D via their long established, grandfathered-in path from our community gate. Please honor it.

All of these points can be quickly resolved. You could revise the Landscape Plan to create an open, fire-safe, minimally planted, visually appealing park/fuel modification zone for all citizens to safely cross and enjoy. You could treat our community gate as just another entrance to the lot Lot D park. You could simplify the Landscape plan and improve public safety. Please, just do it - everybody wins.

With best regards,

Kelvin Vanderlip
Secretary, Tract 16540 Homeowners Association
*c*ell: +1 (424) 241-0609
Attachments:
Tract 16540 HOA petition for access
Lot D CC conditions
Map 6 of HCP - path over Lot D

Discussion Section:

We received your email giving us your opinion on access to Lot D, on your compliance with "City Council-approved conditions of approval", and on fire safety. I will try my best to deal with these issues below. This is taking you and I a huge amount of effort and time which, to date, has produced no progress towards our goals. We will press on anyway. We want you to:

- Correct your Lot D Landscape Plan to meet the Fuel Modification Zone standard of fire safety,
- Leave alone our existing community gate path on Lot D.

Our position is based on the recorded Coastal Commission special conditions and the City's HCP. These reflect years of negotiation between the developer, the residents, the Coastal Commission and the City. Hopefully, this legacy will prevail over your department's recent position on our pedestrian access rights, and your plan to put dry habitat planting on Lot D. Both of these policies conflict with the relevant conditions.

Fire Barrier

We suggest for Lot D's landscape plan a simple fire barrier "park" with minimal decorative fire-safe native plant ground cover. Your continued insistence on covering all of Lot D with low-water native plants is not required by the CC conditions, nor the HCP. It directly conflicts with our goal of fire safety.

We agree with Mr. Posner that "*the area adjacent to the homes should be considered defensible space when the landscaping plan is developed, meaning that plant species should be used that reduce any fire hazard and the plan should include a fuel modification component that allows the area near habitable structures to be selectively thinned in order to reduce fire hazard.*"

And please note that Lot D is bare ground. There are no plants which need to be thinned. Instead, the City is introducing new plants onto the bare ground in this fire break. These plants add a *new* fire load onto Lot D. If you insist on adding new plants onto this bare fire break, they must be widely spaced and kept well away from structures, and the plan reviewed by the Fire Department.

Only in the selection of plants from the 2005 plant palette have you given regard to fire safety. The spacing of the plants, their placement relative to each other and the structures, and their

maintenance are equally important considerations for fire safety. It does not improve public safety for you to claim immunity from Fire Department oversight. For our peace of mind, for the City, staff and community, the final Landscape Plan for Lot D should be stamped by the Fire Department. Again, it does not improve public safety for you to disregard LA County Brush Clearance standards.

Compliance with City Council conditions

You cite that your Landscape Plan complies with "Council Approved conditions of approval". Please refer to the City's Ocean Trails Habitat Conservation Plan Amendment (the HCP, approved by the City Council 7/18/00), which designates the 1 acre Lot D as Fuel Modification Zone and says:

> "2.16 The term Fuel Modification Zone means the area required by Los Angeles County Fire Department to be all/or partially cleared of combustible vegetation that may represent a potential fire hazard to adjacent structures".

This explains why, to this day, Lot D is bare dirt and has remained vacant of planting for 2 decades. The clearing of Lot D was required by the Los Angeles County Fire Department in the HCP. This seems to have been forgotten or ignored in the 2018 Community Development Department Landscape plan for Lot D, which shows no brush setback for the adjoining homes.

We believe your goal of converting Lot D from Fuel Modification Zone to native habitat, thereby covering all of Lot D (except the PUMP paths) with dry native brush, planted right up to our resident's property lines, absolutely conflicts with the City's own HCP definition of this Fuel Modification Zone lot.

Please, change your Landscape Plan and its goal of turning Lot D into an inaccessible native habitat zero-setback scrub field. Instead, make Lot D a fire-safe, minimally planted yet visually appealing park for to passers by to enjoy. This will simplify the Landscape plan, improve public safety. Let's just do it right.

Sincerely,

Kelvin Vanderlip
Secretary, Tract 16540 Homeowners Association

*c*ell: +1 (424) 241-0609

-------- Forwarded Message --------

Subject: FW: Trump LA - Lot D
Date: Tue, 28 Aug 2018 22:20:24 +0000
From: So Kim <SoK@rpvca.gov>
To: chuck.posner@coastal.ca.gov <chuck.posner@coastal.ca.gov>, kelvin@vanderlip.org <kelvin@vanderlip.org>
CC: Doug Willmore <DWillmore@rpvca.gov>, Ara Mihranian <AraM@rpvca.gov>, 'Zach Rehm (zach.rehm@coastal.ca.gov)' <zach.rehm@coastal.ca.gov>, CC <CC@rpvca.gov>

Dear Chuck and Kelvin,

This email is to clarify the issue of whether or not a pedestrian path solely to provide access from a private community over Lot D can be allowed. Lot D will be dedicated to the City for public open space with improved public trails based on the Council-approved Public Amenities Plan. At no time, since the original approvals were obtained by the City Council in 1992 and the Coastal Commission in 1993, did the Public Amenities Plan contemplate a trail that would connect Lot D to the Portuguese Bend Club community (PBC). Lot D is intended to be open park space with public access with a specific plant palate. Additionally, Zach Rehm (Coastal Commission Staff assigned to the Trump Project) reviewed the landscape plan and confirmed that Coastal Commission did not approve the trail from PBC to Lot D (see highlighted text in the email below). He is also correct in that the requested trail from PBC to Lot D would not be in compliance with City-imposed condition requiring a 32' minimum setback from the PBC property line to any trail. When the Director and I met with Mr. Kelvin and Mr. Gakenheimer a week ago, we let them know that the PBC may work with the Public Works Dept to create a shortcut immediately adjacent to the gate that would connect to the public trail on PVDS. Doing so would not cross over into Lot D.

As for landscaping, Lot D is considered a Fire Buffer/fire break. As a result, there was a specific Fire Buffer Zone Plant Palette approved by the Coastal Commission. There are specific plants allowed on lot D, which are fire resistant and drought tolerant.

I hope this helps clarify the matter regarding the pedestrian path as well as the type of landscaping allowed for Lot D. Also, as a reminder, the City Council approved condition allows the Director to review and approve the Landscape Plan for Lot D, provided that it meets the Council-approved conditions of approval. The Landscape Plan is not subject to a public hearing with the City Council.

Sincerely,

So Kim, AICP

Deputy Director/Planning Manager

Community Development Department

City of Rancho Palos Verdes

www.rpvca.gov

(310) 544-5222

From: "Posner, Chuck@Coastal" <Chuck.Posner@coastal.ca.gov>
Date: August 28, 2018 at 10:54:10 AM PDT
To: "'kelvin@vanderlip.org'" <kelvin@vanderlip.org>
Cc: Susan Brooks <susan.brooks@rpvca.gov>, "Rehm, Zach@Coastal" <Zach.Rehm@coastal.ca.gov>
Subject: RE: Request for meeting regarding the use of Lot D, VTTM 50666, Rancho Palos Verdes

Mr. Vanderlip – To confirm what we discussed this morning: Lot D does appear to be designated as a park, although there may exist some habitat value that will have to be preserved when the formal walkways and bike paths are installed and when the area is landscaped with native plants. I agree that the area adjacent to the homes should be considered defensible space when the landscaping plan is developed, meaning that plant species should be used that reduce any fire hazard and the plan should include a fuel modification component that allows the area near habitable structures to be selectively thinned in order to reduce fire hazard. Also, we will discuss with the City any issues it may have with the park's access from the adjacent neighborhood. I don't know any reason why an existing public accessway would be closed. However, it may be problematic to provide access to the park from adjacent private properties. Please keep in mind, however, that Zach is much more familiar with the details of the amended permit than am I. therefore, I recommend that we consult with him on these issues as soon as he is back in the office (probably Sept. 5). In any case, I can confirm that there is no proposal to change to the conditions of the amended coastal development permit as they currently exist. At this time our staff is working with the permittee and City to comply with the conditions of the amended coastal development permit.

Charles R. Posner

Supervisor of Planning

California Coastal Commission

200 Oceangate - Tenth Floor

Long Beach, CA 90802

(562) 590-5071

Chuck.posner@coastal.ca.gov

From: Rehm, Zach@Coastal [mailto:Zach.Rehm@coastal.ca.gov]
Sent: Tuesday, August 14, 2018 5:22 PM
To: Jill Martin <jmartin@trumpnational.com>; So Kim <SoK@rpvca.gov>; Steve Wood (swood@lrmltd.com) <swood@lrmltd.com>
Subject: RE: Trump LA - Lot D

Thank you, Jill. I have two comments:

The revegetation plan for the area at the southwest portion of Lot D (left side of page 2) is still unclear. I see an approximation of my triangle has been added, with what appears to be ash buckwheat proposed. But I don't understand the two circles and the thin squiggly line. If the squiggly line is the existing chain link fence, then please just eliminate the triangle and propose ash buckwheat with temporary irrigation in the entire area northeast of the squiggly line (capturing the smaller triangle and the bigger triangle). Southwest of the fence, existing vegetation may remain and new irrigation should not be installed.

Please remove the trail connecting to the Portuguese Bend cul-du-sac depicted on page 3. I'm not sure why that appeared on the most recent draft, but the Coastal Commission has not approved any trails in that portion of Lot D which is designated for habitat/fire break - and any development within 32 feet of the Portuguese Bend tract is prohibited by the City permit. Additionally I received a call from a Sierra Club attorney asserting that gates and use trails from the Portuguese Bend property are prohibited by the Ocean Trails/CCC/RPV settlement agreement. If the Portuguese Bend HOA desires a new access point from their cul-du-sac, they can construct a path or stairway to connect to PV Drive South adjacent to the coral tree at their own expense.

--

Zach Rehm

Senior Transportation Program Analyst

California Coastal Commission

200 Oceangate, 10th Floor

Long Beach, CA 90802

(562) 590-5071